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CAIR Files Suit Against Minnesota Federal Correctional Facility for Removing Muslim Woman's Hijab



By Ismail Allison | October 4, 2023 | 3:34 pm

(WASHINGTON, D.C., 10/4/23) - The Council on American-Islamic Relations (CAIR), the nation's largest Muslim civil rights organization, today filed a lawsuit in partnership with its Minnesota chapter (CAIR-MN) and Law Office of Deborah M. Golden against Minnesota's FCI Waseca, a federal correction institution, for removing a Muslim woman's hijab, photographing her and forcing her to carry that photo on her ID card.

"Mrs. Jama was often threatened if she did not comply with orders to remove her hijab - including threats to cut off her communication with her children," said **CAIR Legal Fellow Aya Beydoun**. "The hijab is a sacred part of Mrs. Jama's identity and her connection to God. No one should be forced to choose between their faith and the ability to speak to their children."

CAIR's lawsuit states in part:

"The Free Exercise Clause of the US Constitution has long guaranteed individuals the right to practice their religious beliefs without interference from the government. Key legislation has been born from its ideals, ensuring the safeguarding our freedoms, specifically during interactions with law enforcement."

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The lawsuit seeks “an order that Defendants take all possible steps to destroy Ms. Jama’s uncovered photographs from their database and to end its practice of taking and using uncovered photographs.”

READ THE LAWSUIT.

BACKGROUNDER:

Muna Jama, a Somali-American Muslim woman incarcerated at FCI Waseca, has been forced to carry around an ID photo, which features a picture of her without her hijab or abaya. Her head, ears, and neck are on full display each time male officers need to identify her during headcounts, at commissary, and other check in points throughout FCI Waseca.

Each time Jama swipes her ID card, her hijab-less photo appears on the database screen for any males in the vicinity to view. This hijab-less ID has caused Jama a great deal of shame and embarrassment. Her identity as a Muslim woman wearing hijab has been compromised and her beliefs violated on a near daily basis.

FCI Waseca has violated the Religious Freedom Restoration Act, a landmark piece of legislation that prohibits the federal government from substantially burdening a person’s exercise of their religion.

While she is able and continues to wear her hijab throughout the facility, to the degree that most officers and fellow inmates do not even recognize her without it, FCI Waseca and the Federal Bureau of Prison’s Regional Manager Andre Matevousian have forced her into a situation in which she must identify herself to male staff without her hijab.

The Federal Bureau of Prison’s own policies allow female incarcerated to wear their religious headwear (including hijab) throughout the facility, but no logical reason has been provided as to why incarcerated at FCI Waseca like Jama are forced to take their photos without a hijab.

The officials of FCI Waseca continue to violate her rights as a Muslim American, despite the dozens of complaints she has filed and the endless pleading she has done with officers to allow her the dignity of covering up.

She has repeatedly been ordered to remove her hijab for transfers and photographs between facilities, with the constant threat of solitary confinement if she should refuse. On one occasion an officer threatened to cut off her communication with her family if she did not remove her hijab.

Washington, D.C., based CAIR offers a Know Your Rights guide on interactions with law enforcement.

CAIR: Know Your Rights with Law Enforcement

CAIR’s mission is to protect civil rights, enhance understanding of Islam, promote justice, and empower American Muslims.

La misión de CAIR es proteger las libertades civiles, mejorar la comprensión del Islam, promover la justicia, y empoderar a los musulmanes en los Estados Unidos.

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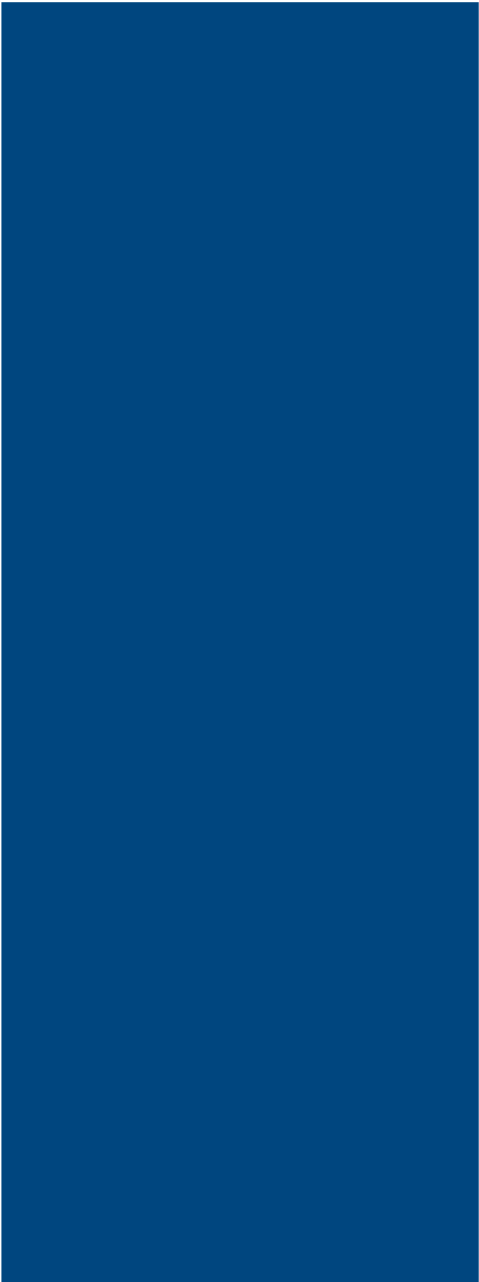
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